

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHENZHEN LAIDERUI LIGHTING
TECHNOLOGY CO LTD,

Plaintiff,

v.

ZHIFEN ZHANG, doing business as
rbay,

Defendant.

CASE NO. 2:24-cv-562

ORDER DENYING PLAINTIFF'S
MOTION FOR A TEMPORARY
RESTRAINING ORDER

On April 23, 2024, Plaintiff Shenzhen Laiderui Lighting Technology Co. Ltd. filed a complaint for declaratory judgment stating that Defendant Zhifen Zhang's (d/b/a "rbay") U.S. Patent No. D1,008,442 is invalid and unenforceable and that Plaintiff's ceiling fans do not infringe on the '442 Patent. Dkt. No. 1 ¶ 1. Two weeks later, Plaintiff moved for a temporary restraining order (TRO), requesting that the Court order all online marketplace platforms, including Amazon, eBay, Wish, AliExpress, Joom, Vova, Temu, Walmart, to void any complaint about infringement of the '442 Patent and restrain Defendant from notifying online marketplace

1 platforms that its patent rights are being infringed by Plaintiff's products. Dkt. No.
2 6-4 at 2.

3 "Motions for temporary restraining orders without notice to and an
4 opportunity to be heard by the adverse party are disfavored and will rarely be
5 granted." LCR 65(b)(1). The Court may issue a TRO without notice to the adverse
6 party only if the moving party shows that immediate and irreparable injury will
7 occur before the adverse party can be heard *and* the movant's attorney certifies "any
8 efforts made to give notice and the reasons why it should not be required." Fed. R.
9 Civ. P. 65(b)(1). If these requirements are not met, the movant "must serve all
10 motion papers on the opposing party, by electronic means if available, before or
11 contemporaneously with the filing of the motion and include a certificate of service
12 with the motion." LCR 65(b)(1).

13 After reviewing Plaintiff's TRO motion and supporting documents, the Court
14 finds that it has not established that a TRO should issue without notice to
15 Defendant. Plaintiff states that, as a result of Defendant's infringement complaint,
16 Amazon has revoked its ability to sell products causing "immediate and irreparable
17 injury, loss, or damage if a temporary restraining order is not issued." Dkt. No. 7 ¶¶
18 8-9. This conclusory allegation does not show that immediate and irreparable injury
19 will occur before Defendant may be heard in opposition. Moreover, Plaintiff's motion
20 does not detail any attempts to serve Defendant.

21 Accordingly, the Court DENIES Plaintiff's motion for a TRO without
22 prejudice.

1 Dated this 7th day of May, 2024.

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4 Jamal N. Whitehead
5 United States District Judge
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